

1
2
3
4
5
6
7
8 **UNITED STATES DISTRICT COURT**
9 **SOUTHERN DISTRICT OF CALIFORNIA**
10

11 KURT A. WILLMAN

12 Plaintiff,

13 vs.

14 ROBERT HERNANDEZ, Warden; et al.

15 Defendants.

CASE NO. 07cv0816 JM(PCL)


ORDER ADOPTING REPORT AND
RECOMMENDATION RE:
GRANTING DEFENDANTS'
MOTION TO DISMISS; GRANTING
LEAVE TO AMEND

16 Having carefully considered Magistrate Judge Lewis' thorough and thoughtful Report and
17 Recommendation Re: Granting Defendants' Motion to Dismiss ("R & R"), the record before the court,
18 the absence of any objections to the R & R, and applicable authorities, the court adopts the R & R in
19 its entirety.

20 In sum, the R & R is adopted in its entirety and the complaint is dismissed without prejudice.
21 Plaintiff is also granted 25 days leave to amend from the date of entry of this order.

22 **IT IS SO ORDERED.**

23 DATED: February 28, 2008

24 
Hon. Jeffrey T. Miller
United States District Judge

25 cc: All parties
26
27
28